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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA

12 JAMES JUDKINS, an individual,) Case No. 2:11-CV-03366-WBS-JFM
13)
Plaintiff,) STIPULATION AND [PROPOSED]
14) ORDER OF DISMISSAL WITH
v.) PREJUDICE
15)
16 GEOVERA HOLDINGS, INC., a Delaware)
Corporation, and DOES 1-20,)
17 Defendants.)
18)
19)
20)

21 **STIPULATION**

22 WHEREAS, Plaintiff James Judkins ("Plaintiff") filed this action against Defendant
23 GeoVera Holdings, Inc. ("Defendant") alleging claims for: (1) Disability Discrimination in
24 violation of the Americans with Disabilities Act, ("ADA"), (2) Retaliation in violation of the
25 ADA, (3) Disability Discrimination in violation of California's Fair Employment and Housing
26 Act ("FEHA"), (4) Failure to Accommodate in violation of the FEHA, (5) Failure to Engage in
27 the Interactive Process in violation of the FEHA, and (6) Retaliation in violation of the FEHA and
28 the Family Medical leave Act ("FMLA");

1 WHEREAS, on January 29, 2013, both Parties and their respective counsel of record
2 participated in a mediation session with Retired Judge Richard Silver and thereafter continued to
3 discuss settlement, including an full-day settlement meeting between the Parties and their counsel
4 on February 19, 2013; and

5 WHEREAS, the Parties have entered into a written settlement agreement, by which
6 Plaintiff releases all claims and causes of action against Defendant, including the claims asserted
7 by him in this Action for Disability Discrimination in violation of the ADA, Retaliation in
8 violation of the ADA, Disability Discrimination in violation of the FEHA, Failure to
9 Accommodate in violation of the FEHA, Failure to Engage in the Interactive Process in violation
10 of the FEHA, and Retaliation in violation of the FEHA and the FMLA.

11 THEREFORE, PLAINTIFF AND DEFENDANT HEREBY STIPULATE, by and through
12 their respective counsel of record, pursuant to Federal Rules of Civil Procedure 41(a)(1), to to
13 dismiss the above-captioned matter with prejudice. This stipulation and dismissal completely
14 terminates the above-entitled action against all parties. Each party will bear its/his own attorneys'
15 fees and costs.

16 The parties hereto also request that this court retain jurisdiction in order to enforce the
17 terms and conditions of the settlement and release.

18 Date: February 25, 2013

Respectfully submitted,

19 SIMPSON, GARRITY, INNES & JACUZZI
20 Professional Corporation

21 By: /s/ Sarah E. Lucas
22 RONALD F. GARRITY, ESQ.
23 SARAH E. LUCAS, ESQ.
24 Attorneys for Defendant
GeoVera Holdings, Inc.

25 Date: February 22, 2013

SMITH PATTEN

26 By: /s/ Dow Patten
27 SPENCER SMITH, ESQ.
28 DOW PATTEN, ESQ.
Attorneys for Plaintiff James Judkins

ORDER

Based on the stipulation of the parties, and good cause appearing therefor,

The release by Plaintiff of all claims and potential claims he has or may have against Defendant for violation of Plaintiff's rights under the statutes referenced above is hereby APPROVED; and

IT IS ORDERED that this action be, and hereby is, DISMISSED WITH PREJUDICE, each side to bear its own costs and attorneys' fees.

Dated: February 27, 2013



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE